

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

X

Dr. and Mrs. Stephen Francis
and Joyanne Louise Schoeman

Plaintiffs pro se

CASE NUMBER _____

v.

DEMAND FOR JURY TRIAL

Presiding Judge Mark P. Ciarrocca,
Assignment Judge Lisa M. Walsh, and
Clerk, all of the Superior Court of New Jersey,
Union County Vicinage, Law
Division

Defendants

X

U.S. DISTRICT COURT
CLERK
DISTRICT OF NEW JERSEY
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COMPLAINT FOR A CIVIL CASE

THE PARTIES TO THIS COMPLAINT

- A. The Plaintiffs are Dr. and Mrs. Stephen Francis and Joyanne Louise Schoeman, residing at 101 Jefferson Avenue, Westfield, New Jersey 07090, telephone number (908) 233-8278 E-Mail sschoeman@verizon.net
- B. The Defendants are Presiding Judge Mark P. Ciarrocca, Assignment Judge Lisa M. Walsh, and the Clerk, all of the Superior Court of New Jersey, Union County Vicinage, Law Division whose official offices of record are Union County Courthouse, 2 Broad Street, Elizabeth, New Jersey 07207

THE BASIS FOR JURISDICTION IS A FEDERAL QUESTION

Fifth Amendment to the United States Constitution

Fourteenth Amendment to the United States Constitution

THE DEFENDANTS ARE INDIVIDUALS, NOT CORPORATIONS

Defendant Mark P. Ciarrocca is the Presiding Judge, Superior Court of New Jersey, Union County Vicinage, Law Division

Defendant Lisa M. Walsh is the Assignment Judge, Superior Court of New Jersey, Union County Vicinage, Law Division

Defendant Clerk is the Clerk of the Superior Court of New Jersey, Union County Vicinage, Law Division

STATEMENT OF CLAIM

The aforementioned Defendants did NOT NOTIFY the Plaintiffs pro se say that final orders dismissing their respective Complaints in DOCKET NUMBERS: UNN-L-2870-23 (Shah et al), UNN-L-3124-23 (Prudential et al), and UNN-L-3187-23 (Knights of Columbus) had been issued

and had been ENTERED in the official records of the Clerk of the Superior Court of New Jersey, Union County Vicinage, Law Division.

The aforementioned failure of the Defendants to notify the Plaintiffs pro se resulted denies the Plaintiffs pro se due process of law under the Fifth Amendment and the Fourteenth Amendment because the statutory period in New Jersey for appeal from a final order dismissing a final order is calculated from THE DATE OF ENTRY of the final order!

It is NOT the date when the litigant learns the final order had been entered or is given information from defense counsel that the final order had been issued dismissing the litigant's complaint!

RULE 2.4-1 (a), NEW JERSEY COURT RULES: 45 days to appeal from "entry" of the final order

RULE 2:11-6 (a) (1), NEW JERSEY COURT RULES: 10 days from "entry" to move for reconsideration of the final order "unless such times is enlarged by court order".

RELIEF

The Plaintiffs pro se respectfully request the following relief:

The aforementioned final orders be vacated

IN THE ALTERNATIVE:

ONE: They be provided with a certified copy of each of the respective aforementioned orders.

TWO: They be granted the mandatory 45 days for an appeal from aforementioned final orders.

THREE: They be granted the mandatory 10 days for a motion to reconsider the aforementioned final orders.

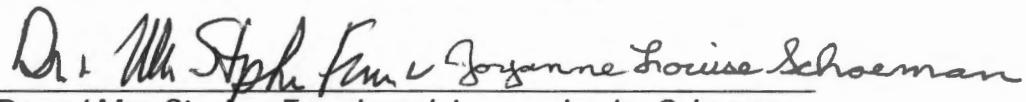
THREE: They IMMEDIATELY be provided with one certified copy each of the aforementioned final orders.

CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, we certify to the best of our knowledge, information, and belief that this complaint (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needly increase the cost of litigation; (2) is supported by existing law or by a non-frivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions the evidentiary support or, if specifically so identified, will like have evidentiary sport after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements Rule 11.

We agree to provide the Clerk's Office with any changes to our address where case-related papers may be served. We understand as Plaintiffs pro se that our failure to keep a current address on file with the Clerk's Office may result in the dismissal of our case.

DATED: February 4, 2024


Dr. and Mrs. Stephen Francis and Joyanne Louise Schoeman